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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/664,051   | 09/17/2003  | John Francis McMahon | 241535US 25RE       | 8073             |
| 22850  | 7590        | 11/21/2006           | EXAMINER            |                  |
| C. IRVIN MCCLELLAND<br>OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.<br>1940 DUKE STREET<br>ALEXANDRIA, VA 22314 |             |                      | THOMPSON, GREGORY D |                  |
|  |             |                      | ART UNIT            | PAPER NUMBER     |
|  |             |                      | 2835                |                  |

DATE MAILED: 11/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

### Application No.

10/664,051

### Applicant(s)

MCMAHON, JOHN FRANCIS

### Examiner

Gregory D. Thompson

### Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 17 September 1993.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_

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1. Claim 20 is objected to because of the following informalities: Language of "the at least one conductive interconnect device" not consistent language.

Appropriate correction is required.

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 20 and 23 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. In claim 20, lines 2-3 the language of "all power supplied to the processor is provided via the at least one conductive interconnect device" is new matter not supported in the application as originally filed. In claim 23, lines 13-15 the language "wherein substantially all power supplies to the substrate is provided by the at least one conductive interconnect device" is new matter not supported in the application as originally filed.

4. The reissue oath/declaration filed with this application is defective because it fails to identify at least one error which is relied upon to support the reissue application. See 37 CFR 1.175(a)(1) and MPEP § 1414.

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The language of "failure to present claims 12-23" is not specific enough to describe the error. MPEP 1414 states " any error in the claims must be identified by reference to the specific claims ..... wherein lies the error(s)". Presenting newly added narrower claims 12-22 is not considered a sufficient error statement since applicant has out pointed out what other claims lacked that the newly added claims have. Presenting narrower claims without deleting or amending any broader original patent claim(s) is not a correctable error within the meaning of 35 USC 251. Claim 23 is a broader claim presented more than two years form the grant of the original patent and is not a correctable error within the meaning of 35 USC 251.

5. Claims 1-23 are rejected as being based upon a defective reissue declaration under 35 U.S.C. 251 as set forth above. See 37 CFR 1.175.

The nature of the defect(s) in the declaration is set forth in the discussion above in this Office action.

6. Claim 23 is rejected under 35 U.S.C. 251 as being improperly broadened in a reissue application made and sworn to by the assignee and not the patentee. A claim is broader in scope than the original claims if it contains within its scope any conceivable product or process which would have infringed the original patent. A claim is broadened if it is broader in any one respect even though it may be narrower in other respects.

Claim 23 is considered broader in scope since the language of "heat slug, slot" not claimed.

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7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

8. Claim 23 is rejected under 35 U.S.C. 102(e) as being clearly anticipated by Samarov et al (5,305,185).

Samarov teaches a modular circuit board assembly composed of a substrate (broad term) 17 having a component (logic component) not shown thereon (col. 3, lines 46-48), a circuit board 15 having a power circuit (rectifiers) 13 that supply power to the logic component (col. 3, lines 46-48), the at least one conductive interconnect device would be one of the pins 18 disposed between the substrate 17 and board 15 for physically separably and electrically coupling the board 15 to the substrate 17. The substrate 17 is communicatively coupled by the other pins (signal conductors) 18 disposed on a side of the substrate 17 opposite board 15. The power is substantially (broad term) supplied to the substrate by the at least one interconnect device 18.

9. Claims 1-22 are allowed.

The cited art does not teach nor suggest a first and second board interconnected by first and second pins, a slot in the second board, a heat slug in the slot coupled to a integrated circuit, an element mounted on the second board, the element supplying power to the circuit, and the second pins to physically separably and electrically couple the second board to the first board to just point out a few patentable features

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10. Applicant has suggested an interference pursuant to 37 CFR 41.202(a) in a communication filed 9/17/03.

11. Applicant failed to provide a detailed explanation as to why applicant will prevail on priority. See 37 CFR 41.202(a)(4), (a)(6), (d) and MPEP § 2304.02(c).

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory D. Thompson whose telephone number is (571) 272-2045. The examiner can normally be reached on M-Thr..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Feild can be reached on (571) 272-2800, ext. 35. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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A handwritten signature in black ink, appearing to read 'Gregory D. Thompson', is written over the printed name.

Gregory D Thompson

Primary Examiner

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